

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	David R. Tushie et al.	Examiner:	Mary D. Cheung
Serial No.:	09/416,252	Group Art Unit:	3621
Filed:	October 12, 1999	Docket:	457.003US3
Title:	SYSTEM AND APPARATUS FOR SMART CARD PERSONALIZATION		

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**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Ann M. McCrackin, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on October 12, 1999. I am making this petition on behalf of Card Technology Corporation, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Card Technology Corporation, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/416,252) and to U.S. Patent No. 5,889,941 and to U.S. Patent No. 6,014,748. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for all of these applications. The assignment for U.S. Patent No. 5,889,941 and U.S. Patent No. 6,014,748 was recorded on October 31, 2005 on Reel 017164, Frame 0273, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 09/416,252) is a continuation of U.S. Patent No. 6,014,748 which is a continuation of U.S. Patent No. 5,889,941.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Card Technology Corporation, seeking to take the action set forth in this disclaimer.

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any

**TERMINAL DISCLAIMER**

Serial Number: 09/416,252

Filing Date: October 12, 1999

Title: SYSTEM AND APPARATUS FOR SMART CARD PERSONALIZATION

**Page 2**

Dkt: 457.003US3

terminal disclaimers, of U.S. Patent No. 5,889,941 and of U.S. Patent No. 6,014,748. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 5,889,941 and to U.S. Patent No. 6,014,748 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,889,941 and of U.S. Patent No. 6,014,748 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

**TERMINAL DISCLAIMER**

Serial Number: 09/416,252

Filing Date: October 12, 1999

Title: SYSTEM AND APPARATUS FOR SMART CARD PERSONALIZATION

Page 3

Dkt: 457.003US3

Fee Status

Please charge Deposit Account 19-0743 in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID R. TUSHIE ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
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Date Oct. 11, 2006

By Ann M. McCrackin  
Ann M. McCrackin  
Reg. No. 42,858

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 11th day of October 2006.

Name Amy Moriarty

Signature [Handwritten Signature]